

1 HOUSE BILL NO. 158

2 INTRODUCED BY HAINES

3 BY REQUEST OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A SPECIFIC APPROPRIATION TO FUND THE
 6 ~~TRANSFER GRANT~~ OF GENERAL FUND MONEY TO AN INDIAN TRIBE OR COMBINATION OF TRIBES
 7 THAT HAVE IMPLEMENTED A NEW TRIBAL FAMILY ASSISTANCE PLAN; STABILIZING THE TEMPORARY
 8 ASSISTANCE FOR NEEDY FAMILY MAINTENANCE OF EFFORT FUNDS; MAKING FUNDED ~~TRANSFERS~~
 9 GRANTS TO INDIAN TRIBES CONTINGENT UPON THE RECEIPT OF REQUIRED REPORTS; PROVIDING
 10 AN APPROPRIATION; AMENDING SECTION 53-4-210, MCA; AND PROVIDING AN EFFECTIVE DATE."
 11

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 53-4-210, MCA, is amended to read:15 **"53-4-210. Tribal family assistance plan.** (1) As used in this section, "Indian tribe" means an Indian
16 tribe that has a federally recognized governing body carrying out substantial governmental duties and powers
17 over any area.18 (2) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 612,
19 authorizes an Indian tribe or a combination of tribes to request federal approval to implement a tribal family
20 assistance plan.21 (3) If a Montana Indian tribe or a combination of tribes receives approval to implement a tribal family
22 assistance plan and chooses to base their share of the federal temporary assistance for needy families block
23 grant on the same federal fiscal year 1994 service population as they plan to serve under their tribal family
24 assistance plan, the legislature shall continue to provide the Indian tribe or combination of tribes with a
25 proportionate state share for cash benefits ~~based on~~ according to the temporary assistance for needy families
26 maintenance of effort level based upon historic state expenditures, as defined in 42 U.S.C. 609(a)(7)(B)(iii),
27 established by the legislature for that biennium or the temporary assistance for needy families maintenance of
28 effort level set in statute.29 (4) The Indian tribe or combination of tribes retain eligibility to form a partnership with the department
30 and share funding for approved special projects related to welfare reform.

1 (5) The department shall provide the Indian tribe or combination of tribes with a reasonable level of
 2 technical assistance in the form of eligibility and case management training, policy interpretation, and automated
 3 system background information. The technical assistance must be provided at no cost to the Indian tribe or
 4 combination of tribes for a period of 1 year after the inception of the tribal family assistance plan. After 1 year,
 5 the Indian tribe or combination of tribes may contract with the department for continued technical assistance.

6 (6) The Indian tribe or combination of tribes may contract with the department for the provision of
 7 participant services or associated administrative functions that the tribe or combination of tribes and the
 8 department find appropriate.

9 (7) The Following the implementation of a new tribal family assistance plan by a tribe or combination
 10 of tribes, the department shall transfer GRANT to each tribe or combination of tribes implementing a new tribal
 11 family assistance plan after April 28, 1999, \$100,000 of general fund money from existing general fund
 12 appropriation authority for each of the complete state fiscal years year of the succeeding biennium for the use
 13 of each tribe implementing a family assistance plan during which the tribe or combination of tribes implements
 14 a new tribal family assistance plan for the first time if:

15 (a) the department has received a specific appropriation to fund the transfer GRANT to a tribe or
 16 combination of tribes that have implemented a tribal family assistance plan under this section;

17 (b) the department has received an appropriation for temporary assistance for needy families
 18 maintenance of effort based upon historic state expenditures, as defined in 42 U.S.C. 609(a)(7)(B)(iii), that is
 19 at least equal to the appropriation for maintenance of effort that the department would have received prior to any
 20 reduction for the implementation of a separate tribal family assistance plan by the tribe or combination of tribes;
 21 and

22 (c) the tribe or combination of tribes has submitted to the department all required reports in satisfactory
 23 form."

24
 25 **NEW SECTION. SECTION 2. APPROPRIATION. (1) THERE IS APPROPRIATED FROM THE GENERAL FUND TO THE**
 26 **DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES \$100,000 FOR FISCAL YEAR 2004 AND \$100,000 FOR FISCAL**
 27 **YEAR 2005 FOR THE PURPOSE OF FUNDING ONLY THE GRANT TO A TRIBE OR COMBINATION OF TRIBES THAT HAVE**
 28 **IMPLEMENTED A TRIBAL FAMILY ASSISTANCE PLAN UNDER THE PROVISIONS OF 53-4-210.**

29 (2) ANY FUNDS THAT ARE APPROPRIATED IN SUBSECTION (1) THAT ARE NOT EXPENDED IN EACH FISCAL YEAR
 30 FOR THE PURPOSE SPECIFIED MUST REVERT TO THE GENERAL FUND.

